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EXAMINER

LUONG, ALAN H

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/672,664	Applicant(s) KARAOGUZ ET AL.	
	Examiner ALAN LUONG	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/25/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 25, 2008, has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 31-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al. (US Pub. No. 2005/0028208 A1; hereinafter US'208);

Regarding to claim 31: Ellis teaches a system providing support for the delivery of media to an authorized vehicle ((A person who is caught in traffic in an automobile may access the program guide using appropriate voice commands to access listings for programs that the user

anticipates he or she will not arrive home in time to view. The listings may be displayed on a screen, or recited back to the user in synthesized voice listings. The user may select any such programs for recording on their videocassette recorder or other storage device in the home, or on a server at a television distribution facility or other distribution facility; **see US'208, ¶0017**), the system comprising:

set top box circuitry (set-top box 28 of Fig.3 or 248 of Fig. 27) arranged to exchange media via a communication network (Set-top box 28 may have communications device 37 for communicating with remote program guide access device 24 over remote access link 19. Communications device 37 may be, for example, a communications port (e.g., a serial port, parallel port, universal serial bus (USB) port, etc.), modem (e.g., any suitable analog or digital modem, cellular modem, or cable modem), network interface card (e.g., an Ethernet card, token ring card, etc.), wireless transceiver (e.g., an infrared transceiver or other suitable transceiver), or other suitable communications device. Television 36 may also have such a suitable communications device connected to remote access link 19 if desired; **see US'208, Fig. 3, ¶0086**) wherein the set top box circuitry is configured to be communicatively coupled to at least one vehicle system (Set-top box 28 may have

communications device 37 for communicating with remote program guide access device 24 over remote access link 19; **see US'208, ¶0086)** and

software that receives a request and authorization information, via the communication interface (program guide server 25 receives Requests, commands, or other suitable communications from user television equipment 22 that be provided by remote program guide access device 24 over remote access link 19 as shown in FIG. 2c; **see US'208, FIG. 2c, ¶0074)**; remote program guide access device 24 may obtain pay-per-view information (e.g., price, ordering information, time, event code, etc.) from the interactive television program guide running on interactive television program guide equipment 17, via remote access link 19, Alternatively, the pay-per-view information may have been provided to remote program guide access device 24 by the local guide, program guide server 25, or Internet Service system 61; **US'208, FIG. 5, ¶0130)** and responds by coordinating the delivery of media to the at least one vehicle system; **see US'208, FIG. 2c, ¶0127).**

Regarding to claim 32: The method of claim 31; Ellis also teaches wherein the media comprises one or more of audio, a still image, video, real-time video, and/or data (Remote program guide access device 24 may play the video or audio for the user; **see US'208, ¶0168, ¶0170).**

Regarding to claim 33. In the system of claim 31; Ellis also teaches wherein the media comprises information related to commercial broadcasters (The interactive television program guide data transmitted by main facility 12 to interactive television program guide equipment 17 may include television program listings data (e.g., program times, channels, titles, and descriptions) and other program guide data for additional services other than television program listings (e.g., pay-per-view information, weather information, associated Internet web links, computer software, etc.)) **see US'208, Fig. 1, ¶0067).**

Regarding to claim 34: The system of claim 31, Ellis also teaches wherein the communication network (Main facility 12 provides interactive television program guide data from program guide data source 14 to interactive television program guide equipment 17 via communications link 18; **see US'208, Fig. 1, ¶0066)** comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure. (Link 18 may be a satellite link, a telephone network link, a cable or fiber optic link, a microwave link, a combination of such links, an Internet link, or any other suitable communications path. **¶0066)**

Regarding to claim 35: In the system of claim 31; Ellis also teaches wherein the at least one vehicle system comprises a vehicle video system, and/or a vehicle music

system (Selected video may be displayed, for example, on a suitable monitor, LCD, or other suitable display device. Selected audio may be played for the user using any suitable speaker. Audio may, for example, be played by a car stereo if remote program guide access device 24 is an automobile PC; **see US'208, ¶0170 and ¶0092).**

Regarding to claims 36, 37: The system of claim 31, Ellis further teaches wherein the at least one vehicle system (automobile PC) comprises an interface to at least one media peripheral comprises one a television (remote program guide access device 24 may be automobile PC wherein has an user interface 52 which may be any suitable input or output device include a pointing device, keyboard, touch-pad, touch screen, pen stylus, voice recognition system, mouse, trackball, cathode ray tube (CRT) monitor, liquid crystal display (LCD), voice synthesis processor and speaker, or any other suitable user input or output device. **see US'208, Fig. 5, ¶0092).**

Regarding to claim 38. The system of claim 36 above; Ellis also teaches wherein the authorization information is supplied by the at least one media peripheral (The remote access program guide may, for example, provide the user with an opportunity to select a pay-per-view program or package listing using user interface 52 (e.g., by using a pointing device, touch sensitive screen, or issuing a voice command to

select a pay-per-view program listing). In response to the user command, remote program guide access device 24 may obtain pay-per-view information (e.g., price, ordering information, time, event code, etc.) from the interactive television program guide running on interactive television program guide equipment 17, via remote access link 19; **see US'208, ¶0130).**

Regarding to claim 39: The method of claim 31; Ellis further teaches wherein the authorization information is conveyed as a digital certificate comprising information regarding payment terms, information regarding billing. (If desired, television distribution facility 16 may poll user television equipment 22 periodically for certain information (e.g., pay program account information or information regarding programs that have been purchased and viewed using locally-generated authorization techniques); **see US'208, ¶0070).** In response to the user command, remote program guide access device 24 may obtain pay-per-view information (e.g., price, ordering information, time, event code, etc.) from the interactive television program guide running on interactive television program guide equipment 17, via remote access link 19; **¶0130, ¶0186).**

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al. (US Pub. No. 2005/0028208 A1; hereinafter US'208); in view of El-Baze et al. (US Pub. No. 2002/0143959 A1; hereinafter US'959)

Regarding to claims 1, 14: Ellis discloses a system providing support for the delivery of media to an authorized vehicle (A person who is caught in traffic in an automobile may access the program guide using appropriate voice commands to access listings for programs that the user anticipates he or she will not arrive home in time to view. The listings may be displayed on a screen, or recited back to the user in synthesized voice listings. The user may select any such programs for recording on their videocassette recorder or other storage device in the home, or on a server at a television distribution facility or other distribution facility; **see US'208, ¶0017**), the system comprising:

a storage for storing media (Video signals are stored on digital storage device 31; **see US'208, ¶0085**); set top box circuitry (set-top box 28 of Fig.3 or 248 of Fig. 27) communicatively coupled to the storage

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(Digital storage device 31 can be contained in set-top box 28 or it can be an external device connected to set-top box 28 via an output port and appropriate interface; **see US'208, Fig. 3, ¶0084**); Each set-top box 248 is may connected to an optional videocassette recorder 250 or other suitable recording device (e.g., digital storage device 31) so that selected television programs may be recorded; **see US'208, Fig. 27, ¶0187**), the set top box circuitry arranged to exchange media via a communication network using a first communication interface (input 26 and output 30 of Fig. 3 or communication path 246 of Fig. 27); (User television equipment 22 of FIG. 3 receives video and data from television distribution facility 16 (FIG. 1) at input 26, the user tunes set top box 28 to a desired television channel. The signal for that television channel is then provided at video output 30; **see US'208, Fig. 3, ¶0080-¶0085**); Communications paths 246 preferably have sufficient bandwidth to allow television distribution facility 238 to distribute scheduled television programming, pay programming, advertising and other promotional videos, and other video information to set-top boxes 248 in addition to non-video program guide data. **see US'208, Fig. 27, ¶0189**), the set top box supporting wireless communication of media using a second communication interface (communications device 37) (Remote access link 19 may be any suitable wired or wireless

communications path or paths over which digital or analog communications may take place between interactive television program guide equipment 17 and remote program guide access device 24; **see US'208, Fig. 2a, 2c, ¶0077)** (Set-top box 28 may have communications device 37 for communicating with remote program guide access device 24 over remote access link 19; **see US'208, ¶0086)**;

at least one vehicle system (remote program guide access device 24; **see US'208, Fig. 5)** may be automobile PC, personal digital assistant (PDA), or other suitable computer based device; **see US'208, Fig. 5, ¶0092)**communicatively coupled to the set top box circuitry via the second communication interface (Interactive television program guide equipment 17 may be connected to remote program guide access device 24 via remote access link 19; **see US'208, ¶0067)** (Set-top box 28 may have communications device 37 for communicating with remote program guide access device 24 over remote access link 19; **see US'208, ¶0086)**).

a user interface (User interface 46) to support the delivery of media (The user may create the message with the local interactive television program guide using, for example, user interface 46 of user television equipment 22 (FIG. 4), or the user may create the message using user interface 52 of remote program guide

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access device 24; **see US'208, ¶0173, ¶0174**), the user interface having at least **one view** (Display device 45) (User interface 46 may be a pointing device, wireless remote control, keyboard, touch-pad, voice recognition system, or any other suitable user input device. To watch television, the user instructs control circuitry 42 to display a desired television channel on display device 45. Display device 45 may be a television, monitor, or other suitable display device; **see US'208, Fig. 4, ¶0089**) comprising a **representation of a sequence of media available for delivery to the at least one vehicle system** (remote program guide access device 24) (remote program guide access device 24 and interactive television program guide equipment 17 communicate together over an Internet link; Television distribution facility 16 may, for example, include Internet service system 61 for providing Internet-based access to the program guide. Internet service system 61 may be any combination of hardware and software capable of providing an Internet connection to the programming guide. Remote program guide access device 24 may establish an Internet session with Internet service system 61 and thereby obtain program guide data from or set program guide settings with (e.g., set reminders or notifications, view listings, schedule program recording, set favorites, set parental control features, send messages, poll

interactive television program guide equipment 17, etc.) the program guide running on interactive program guide equipment 17; **see US'208, Fig. 6a, 6b, ¶0097**) (User television equipment 22 of FIG. 4 may also have communications device 51 for supporting communications between user television equipment 22 and remote program guide access device 24 over remote access link 19; **see US'208, Fig. 4, ¶0090**); Remote program guide access device 24 may also have communications device 58. Communications device 58 may be any device suitable for supporting communications between remote program access device 24 and interactive television program guide equipment 17 over link 19; **see US'208, Fig. 5, ¶0093**).

at least one server (A server 242) for storing media (A server 242 may be provided in television distribution facility 238 for handling data distribution tasks and for storing local information. If desired, server 242 may be used to implement a client-server based interactive television program guide system. In such a system, client functions may be performed at user television equipment 244. Server 242 may be capable of handling text, graphics, and video; **see US'208, Fig. 27, ¶0184 and claim 3**); and

server software (Program guide server 25 may be any suitable software, hardware, or combination thereof for providing a client-server based program guide; **see US'208, Fig. 2c, 2d, ¶0073**) that

receives a request, via the communication network (Requests, commands, or other suitable communications may be provided by remote program guide access device 24 to user television equipment 22 and then forwarded by user television equipment 22 to program guide server 25; **see US'208, Fig. 2c, 2d, ¶0074**), identifying one or more of the

associated first, second, and/or third device and authorization information

(identifying by a user a device to which a plurality of contents will be broadcasted and the device having an associated user interface for locally controlling the device; selecting by the user a future broadcasted content from the plurality of

contents; setting up the device to record the content when the content is broadcasted to the device; and wherein the selecting and the identifying are done over the Internet via a web site

different from the local user interface; **see US'208, claim 1 and Fig.**

24, 25, 26, and ¶0176 to ¶0180) and responds by identifying at least one other of the

one or more of the associated first, second, and/or third device to support the delivery of

media to the at least one vehicle system (providing user access to a server

via a web site on the Internet; enabling identifying on the web site a device of the user to which a plurality of contents will

be broadcasted; selecting by the user a future broadcasted

content from the plurality of contents; setting up the device by

the server through a connection from the server to the device to

record the future broadcasted content; **see US'208, Figs. 15 to 23 , ¶0151 to ¶0175).**

However, Ellis is unclear regarding devices on a network having an associated network address.

El-Baze, the same interactive direct peer-to-peer multimedia streaming; teaches having a storage (The originating computing device 11) having an associated first network address or a server (The originating computing device 11; **see US'959, ¶0065 to ¶0069)**) having an associated third network address; (The originating computing device 11 is logged onto an Address Locator 50 and updating its' network address 40; **see US'959, Fig. 6, ¶0089).** (The Request Initiator 31 gets a request from the application program to initiate a streaming signal process, the IP address of the originating computing device 11 and the target remote computing device. Its' role is to obtain the IP address of the remote computing device 12. Upon determining the net addresses of the computing devices, it passes an instruction to the Link Establishment module 32 for a channel setup, that in turn passes the network addresses to the Channel Control module 36; **see US'959, ¶0085);** the at least one vehicle system (the remote computing device 12) having an associated second network address (the network address 41 at the Address Locator 50 is the IP address of the remote computing device 12; **see US'959, ¶0070 to ¶0074)**; The remote

computing device 12 does the same steps of updating the Address Locator 50 with the network address 41; **see US'959, Fig. 6, ¶0089**). It would have been obvious to a person of ordinary skill in the art at the time of the invention to include device having an associated network address as taught by El-Baze with support the delivery of media to the at least one vehicle system of Ellis; in order to provide a system to establish an interactive, peer-to-peer, multimedia streaming link with minimal intervention by the remote user of the receiving computing device and to provide a unique address for the devices to use in order to identify and communicate with one another in the network.

Regarding to claims 2, 15: The method of claims 1, 14; Ellis also teaches wherein the media comprises one or more of audio, a still image, video, real-time video, and/or data (Remote program guide access device 24 may play the video or audio for the user; **see US'208, ¶0168, ¶0170**).

Regarding to claims 3, 16: The system of claims 1, 14 above; Ellis also teaches wherein the media comprises information related to commercial broadcasters (The interactive television program guide data transmitted by main facility 12 to interactive television program guide equipment 17 may include television program listings data (e.g., program times, channels, titles, and descriptions) and other program guide data for additional services other than television program listings (e.g., pay-per-view information, weather information,

associated Internet web links, computer software, etc.) **see US'208, Fig. 1, ¶0067).**

Regarding to claim 4: The system of claim 1; El-Baze also discloses wherein one or more of the associated first, second, and/or third network addresses is an Internet protocol (IP) address (Its' role is to obtain the IP address of the remote computing device 12; **see US'959, Fig. 3, ¶0085),** (the originating and receiving computing devices are connected to an IP network either with permanent or dynamically assigned network addresses; **see US'959, Fig. 7, ¶0093),** a media access control (MAC) address, and/or an electronic serial number (ESN).

Regarding to claims 5, 6, 17 and 18: The system of claims 1, 14; Ellis also discloses wherein the communication network (Main facility 12 provides interactive television program guide data from program guide data source 14 to interactive television program guide equipment 17 via communications link 18; **see US'208, Fig. 1, ¶0066)** comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure. (Link 18 may be a satellite link, a telephone network link, a cable or fiber optic link, a microwave link, a combination of such links, an Internet link, or any other suitable communications path. **¶0066)**

Regarding to claim 7: The method of claim 1 above; Ellis also teaches wherein

the receiving and delivering are performed using a wireless communication link comprises one or both of an infrared link and/or a radio frequency link. (Remote access link 19 (FIG. 1) may include a computer network or Internet link (e.g., 10Base2, 10Base 5, 10BaseT, 100BaseT, 10BaseF, T1, T3, etc.), an in-home network link, an infrared link, a radio frequency link, a satellite link, any other suitable transmission link or suitable combination of such links. Preferably remote access link 19 is bidirectional; **see US'208, ¶0067, ¶0074, ¶0075, ¶0076, ¶0077, ¶0086, ¶0094, ¶0186).**

Regarding to claims 8, 19: The system of claims 1, 14 above; Ellis also teaches wherein the at least one vehicle system comprises a vehicle video system, and/or a vehicle music system (Selected video may be displayed, for example, on a suitable monitor, LCD, or other suitable display device. Selected audio may be played for the user using any suitable speaker. Audio may, for example, be played by a car stereo if remote program guide access device 24 is an automobile PC; **see US'208, ¶0170 and ¶0092).**

Regarding to claims 9, 10, 20, 21: The system of claims 1, 14, Ellis further teaches wherein the at least one vehicle system (automobile PC) comprises an interface to at least one media peripheral comprises one a television (remote program guide access device 24 may be automobile PC wherein has an user interface 52 which may be any suitable input or output

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device include a pointing device, keyboard, touch-pad, touch screen, pen stylus, voice recognition system, mouse, trackball, cathode ray tube (CRT) monitor, liquid crystal display (LCD), voice synthesis processor and speaker, or any other suitable user input or output device. **see US'208, Fig. 5, ¶0092).**

Regarding to claims 11, 22: The system of claims 9, 20 above; Ellis also teaches wherein the authorization information is supplied by the at least one media peripheral (The remote access program guide may, for example, provide the user with an opportunity to select a pay-per-view program or package listing using user interface 52 (e.g., by using a pointing device, touch sensitive screen, or issuing a voice command to select a pay-per-view program listing). In response to the user command, remote program guide access device 24 may obtain pay-per-view information (e.g., price, ordering information, time, event code, etc.) from the interactive television program guide running on interactive television program guide equipment 17, via remote access link 19; **see US'208, ¶0130).**

Regarding to claims 12, 23: The method of claims 1, 14; Ellis also discloses wherein the authorization information is conveyed as a digital certificate comprising information regarding payment terms, information regarding billing. (If desired, television distribution facility 16 may poll user television equipment 22

periodically for certain information (e.g., pay program account information or information regarding programs that have been purchased and viewed using locally-generated authorization techniques); **see US'208, ¶0070**, In response to the user command, remote program guide access device 24 may obtain pay-per-view information (e.g., price, ordering information, time, event code, etc.) from the interactive television program guide running on interactive television program guide equipment 17, via remote access link 19; **¶0130, ¶0186**).

Regarding to claims 13, 24: In the system of claims 1, 14 above; Ellis also discloses wherein the at least one server supports one media storage (server 242 may be used to implement a client-server based interactive television program guide system. In such a system, client functions may be performed at user television equipment 244. Server 242 may be capable of handling text, graphics, and video and support user television equipment digital storage or videocassette recorder 250; **see US'208, Fig. 27, ¶0184**),

6. Claims 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al. (US Pub. No. 2005/0028208 A1; hereinafter US'208); in view of Novak (US Pub. No. 2003/0097655 A1; hereinafter US'655)

Regarding to claim 25: Ellis teaches a method for delivering media to an authorized vehicle (remote program guide access device 24 remotely

plays the video or audio for the user using user interface 52. Selected video may be displayed, for example, on a suitable monitor, LCD, or other suitable display device. Selected audio may be played for the user using any suitable speaker. Audio may, for example, be played by a car stereo if remote program guide access device 24 is an automobile PC; **see US'208, ¶0170**), the method comprising:

selecting media for delivery based upon input from a user (provide an interactive television program guide system in which the program guide may be remotely accessed by the user. Such a system may allow the user to access important features of the user's in-home program guide from a remote location and set program guide settings for those features; **see US'208, ¶0010**) The remote access program guide may, for example, provide the user with an opportunity to remotely schedule a reminder for a program, remotely view television program listings, remotely select programming for recordings (storage), remotely play a stored program or a currently broadcasted program on the remote program guide access device, remotely set and navigate through favorites (e.g., favorite channels, program categories, services, etc.), and remotely set parental control settings; **see US'208, ¶0015, ¶0100, Fig. 7, ¶0113,)**; identifying a vehicle system (When the user wishes to access

the features of the program guide via remote program guide access device 24, the user may issue an appropriate command using user interface 52; user interface 52 includes a microphone and uses suitable voice recognition software, the user may speak a predetermined command into the microphone; remote program guide access device 24 must be operated without the use of one's hands, as with an automobile PC; **see US'208, Fig. 5, ¶0108**), to receive the **selected media based upon input from the user;** (A person driving an automobile, for example, may issue a suitable vocal command that is recognized by interface 52. The remote access program guide may issue one or more access communications to the local program guide, which in turn supplies program listings information back to remote program guide access device 24. The remote access program guide running on remote program guide access device 24 may provide a user with an opportunity to remotely access program listings. User interface 52 may, for example, provide the listings to the user in synthesized voice outputs; **see US'208, ¶0110, ¶0111),**

determining if the vehicle system is available to receive the selected media; (program listings information is remotely obtained from the local interactive television program guide implemented on interactive television program guide equipment 17 via remote

access link 19; obtain this information on startup, periodically, continuously, on demand in response to a suitable user command, or using any other suitable scheme using remote program guide access device 24; **see US'208, Fig. 15, ¶0152-¶0153), receiving authorization information from the vehicle system** (the remote access program guide may provide the user with the opportunity to access other remote program guide features for the listing (e.g., displays additional info, schedule a program reminder, record, parental control, order the program if it is a pay-per-view program, etc.); **see US'208, Fig. 15 ¶0154); verifying the authorization information** (At step 2100, the remote access program guide obtains pay-per-view information (e.g., price, ordering information, time, event code, selections in a package, etc.), from the interactive program guide implemented on interactive television program guide equipment 17 via remote access link 19. The pay-per-view information is provided to the user by the remote access program guide using user interface 52 of remote program guide access device 24 in any suitable fashion (step 2110); **see US'208, Fig. 20, ¶0165).**

delivering the selected media to the vehicle system (a pay-per-view program will be delivered to remote program guide access device 24 by the way in which the remote access program guide orders the pay-

per-view program using the local interactive television program guide may depend on the configuration of the system. If the system is configured as shown in FIGS. 2a and 2c, the remote access program guide may, for example, provide the pay-per-view information to the interactive television program guide implemented at least partially on user television equipment 22. The interactive television program guide may, in turn, order the pay-per-view program with television distribution facility 16. If the system is configured as shown in FIGS. 2b and 2d, the remote access program guide may, for example, provide the pay-per-view information to the interactive television program guide via separate communications device 27. If the system is configured as shown in FIGS. 6a and 6b, the remote access program guide may provide the pay-per-view information via Internet service system 61; **see US'208, Figs. 2a-2d, Figs. 6a, 6b, ¶0167)** and the vehicle system is available to receive the selected media. (The pay-per-view information is provided to the user by the remote access program guide using user interface 52 of remote program guide access device 24 in any suitable fashion (step 2110); **see US'208, Fig. 20, ¶0165);** the remote access program guide provides the user with the opportunity to remotely order a pay-per-view program or package. This opportunity may be provided, for example, in

response to the user selecting a pay-per-view program listing or package listing (e.g., step 1640, FIG. 15); **see US'208, Fig. 20, ¶0166**); and

However, Ellis fails to disclose step of verification for delivering the selected media if it is successful and refraining from delivering the selected media if the verification is not successful.

Novak; in the same field for providing conditional access to digital content; teaches verification for delivering the selected media to user if it is successful and refraining from delivering the selected media to user if the verification is not successful

(The server system 1000 includes a request reception component 1004 that receives a request 409 from a user 402 (example: user in the automobile) to view specific digital content 404 (example: a pay-per-view program). The request reception component 1004 may include software modules, hardware, or a combination thereof. The request reception component 1004 may extract identity credentials for the user 402 which are passed to a verification component 1006. The verification component 1006 may be coupled to a search component 1008. The search component 1008 searches a plurality of licenses 411 stored in a storage device, as described above. The storage device may be local to the server system 1000 or may be accessed remotely via a network; if the license key 412 is already in use, the concurrent use determination component 1010 prevents a second

license key 412 from being sent and may send a denied message 702 to the requesting device (example: automobile PC in the remote access device of user 402). If the concurrent use determination component 1010 and license determination component 1012 allow transmission of the license 411 and/or license key 412, a transmission component 1014 sends the license 411 and/or license key 412 to the user 402. As discussed earlier, the license key 412 permits a user's STB 102 to decrypt an access key 414 which, in turn, allows the STB 102 to decrypt the licensed digital content 404; **see US'655, Fig. 10, ¶0137 to ¶0143**). It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a method for delivering media to an authorized vehicle of Ellis with providing conditional access to digital content as taught by Novak; in order to provide conditional access to digital content that does not limit a user to watching purchased content on a single viewing device and associate a license to view the content with a particular user, and allows that user to convey at least a portion of his or her license to another user; that permits more sophisticated content licensing models than a onetime or unlimited-viewing model.

Regarding to claim 26: The method of claim 25; Ellis also teaches wherein the media comprises one or more of audio, a still image, video, real-time video, and/or data (Remote program guide access device 24 may play the video or audio for the user; **see US'208, ¶0168, ¶0170**).

Regarding to claim 27: The method of claim 25; Ellis also teaches wherein the selecting and identifying are performed via a user interface having at least one view (User interface 46 may be a pointing device, wireless remote control, keyboard, touch-pad, voice recognition system, or any other suitable user input device. To watch television, the user instructs control circuitry 42 to display a desired television channel on display device 45. Display device 45 may be a television, monitor, or other suitable display device); **comprising a graphical representation of media available for delivery to the at least one media peripheral** (To access the features of the program guide, the user instructs the program guide implemented on interactive television program guide equipment 17 to generate a main menu or other desired program guide display screen for display on display device 45; **see US'208, ¶0089).**

Regarding to claim 28: The method of claim 25; Ellis also teaches wherein the authorization information is conveyed as a digital certificate comprising information regarding payment terms, information regarding billing (If desired, television distribution facility 16 may poll user television equipment 22 periodically for certain information (e.g., pay program account information or information regarding programs that have been purchased and viewed using locally-generated authorization techniques); **see US'208, ¶0070, ¶0165, ¶0186),**

Regarding to claims 29, 30. The method of claim 25; Ellis also teaches wherein the receiving and delivering are performed using a wireless communication link comprises one or both of an infrared link and/or a radio frequency link. (Remote access link 19 (FIG. 1) may include a computer network or Internet link (e.g., 10Base2, 10Base 5, 10BaseT, 100BaseT, 10BaseF, T1, T3, etc.), an in-home network link, an infrared link, a radio frequency link, a satellite link, any other suitable transmission link or suitable combination of such links. Preferably remote access link 19 is bidirectional; **see US'208, ¶0067, ¶0074, ¶0075, ¶0076, ¶0077, ¶0086, ¶0094, ¶0186).**

Response to Arguments

Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571)270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

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/A. L./

Examiner, Art Unit 2623

Date April 09, 2008

/Scott Beliveau/

Supervisory Patent Examiner, Art Unit 2623